

DATE DOCUMENT NO.	<div>CR 3</div> <div>MASTER DOCKET - MULTIPLE DEFENDANT CASE</div> <div>PROCEEDINGS DOCKET FOR SINGLE DEFENDANT</div>	<div>PAGE 2 OF 8</div> <div>VI EXCLUDABLE DELAY</div> <div>Start Date</div> <div>End Date</div> <div>Ltr. Code</div> <div>Total Days</div>
	<div>(OPTIONAL) Show last names of defendants</div> <div>V. PROCEEDINGS</div> <div>1990</div> <div>Oct. 11 ORDER SETTING CONDITIONS OF RELEASE. (no bond set). Copy to U.S. A., U.S.M., Pretrial, defendant. dr</div> <div>Oct. 17 Detention hearing held. Probable cause hearing rescheduled for October 31, 1990 at 11:00 a.m.</div> <div>Oct. 15 ORDER SETTING CONDITIONS OF RELEASE. (no bond) Copy to U.S.A., U.S.M., Pretrial and defendant. dr</div> <div>Oct. 29 Return on WARRANT FOR ARREST. dr</div> <div>ORDER FOR PSYCHIATRIC AND PSYCHOLOGICAL EXAMINATION.. gs</div> <div>It is ordered that Robert James Fox is committed to the custody of the attorney general for placement in a suitable facility where he may be examined, and the purpose of said examination for the purpose of determine the competency of the deft to stand trial. (See order for further specifics).</div> <div>Dist/dkt 10-31-90 JB/gs</div> <div>Oct 30 INDICTMENT. gs</div> <div>Oct 31 RETURN OF SERVICE OF SUBPOENA to Everette S. Kelly Service was refused on 10-30-90. gs</div> <div>RETURN OF SERVICE OF SUBPOENA to Robert Summers. Service was refused on 10-30-90. gs</div> <div>RETURN OF SERVICE OF SUBPOENA to Paul Reece, executed on 10-30-90. By Gerald Blackstone. gs</div> <div>RETURN OF SERVICE ON SUBPOENA to Jeffres Slye-Nelson executed on 10-30-90 by Gerald Blackstone. gs</div> <div>RETURN ON SUBMPOENA to Mark Vezey executed on 10-31-90 by Gerald Blackstone. gs</div> <div>Oct 31 MOTION TO RETURN DEFENSE RESOURCES. (Deft) gs</div> <div>MOTION FOR EQUAL OPPORTUNITY AND DUE PROCESS (Deft) gs</div> <div>MOTION TO COMPELL PROSECUTION TO PRODUCE EVIDENCE OF CITIZENSHIP. (Deft) gs</div> <div>MOTION FOR RIGHTS SUASPONTE. (Deft) gs</div> <div>Nov 1 MOTION FOR DISCLOSURE. (Deft) gs</div> <div>MOTION FOR RETURN OF DEFENDSE MATERIAL. (Deft) gs</div> <div>Nov 1 MOTION TO QUASH SUBPOENA by Pltf. dh</div> <div>ORDER that the US Motion to Quash Subpoenas duces tecum is GRANTED. copies to counsel HBS/dh</div> <div>Nov 1 RETURN ON WARRANT FOR ARREST - Warrant executed by the the warrant and arraignment of the above named subject on 10-31-90 by the State Department. gs</div> <div>Nov 2 MOTION TO QUASH AND BRIEF IN SUPPORT THEREOF. (INS) gs</div>	<div>LETTER</div> <div>Forfeited periods of able delay USC 318 in brackets</div> <div>A Exam for man cal inca (18 USC (11) (A)</div> <div>B NARA/ USC 29</div> <div>C State/ coding charges</div> <div>D Inmate pool (1)</div> <div>E Pretrial (from R hearing prompt (11)(F))</div> <div>F Trans district: 20, 21 or Rule 6a</div> <div>G Process summons issued: after all very sub filed and complex</div> <div>H Misc: g arraignment probation Deportation (1)</div> <div>I Deferral action (2002) (1)</div> <div>J Transport another to/from or hospital in 10 day (11)(H)</div> <div>K Consider Court of plea agreement</div> <div>L Prosecu by mutual (12)</div> <div>M Unusual defendant: witness (1)</div> <div>N Period: sical incc of def. in trial (14)</div> <div>O Period: commit ment (15)</div> <div>P Suspended ment and charges (1)</div> <div>Q Def. an of co-def no sever been gran</div> <div>T Contin granted s use "T" then one lowering re thro T4) support c uance H</div> <div>T1 Failure would str proceedi result in i of justice</div> <div>T2 Case in plex (10)</div> <div>T3 Indictm arrest can in 30 day</div> <div>T4 Contin to obtain tute coun reasonable prepare (1)</div> <div>U Time up guilty plea</div> <div>W Grand J time enter day: 318</div>

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UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

ROBERT JAMES FOX

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DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1990</u>	(Document No.)				
Nov 16	DEMURRER. (Deft)				gs
Nov 27	MOTION FOR ISSUANCE OF WRIT OF HABEAS CORPUS. (Deft)				gs
	ANSWER TO CHARGES (Deft)				gs
Dec 6	RETURN OF SERVICE ON ORDER FOR PSYCHIATRIC AND PSYCHOLOGICAL EXAMINATION - that the defendant was delivered on 11-30-90 to Medical Center for Fed. Prisoners Springfield, MO by USM.				gs
Dec 27	MOTION FOR SECOND EXAMINATION. (Deft)				gs
	MOTION TO VACATE PSYCHIATRIC AND PSYCHOLOGICAL EXAMINATION (Deft)				gs
	REQUEST FOR SPEEDY TRIAL (Deft)				gs
	AMENDED DEMURRER AND COMBINED BRIEF IN SUPPORT THEREOF. (Deft)				gs
Dec 31	AMENDED MOTION FOR ISSUANCE OF WRIT OF HABEAS CORPUS. ORDER... before the court are various mtns filed on 12-27-90 by deft., the ct directs the Govt., to respond to these mtns., either by separate responses or in a consolidated response by noon 1-14-91. Dist/dkt 12-31-90				gs HBS/g
<u>1991</u>					
Jan 14	CONSOLIDATED RESPONSE (govt)				ns
Jan 24	ANSWER TO CONSOLIDATED RESPOSNE				dh
Jan 31	ORDER Defts. Motion to Vacate Psychiatric and Psychological Exam. is Denied... Defts. Motion for 2nd Exam is GRANTED... Defts. request for Speedy Trial is GRANTED... Defts. Amended Motion for Issuance of Writ of Habeas Corpus is DENIED... Govts. request for an extension of time to respond to defts. Amended Demurrer is GRANTED to 2/4/91. copies to counsel. dkt'd 1/31/91				HBS/dh
Jan 30	ASSEVERATION IN SUPPORT OF COMPETENCE. (Dft)				gs
Feb 12	GOVERNMENT'S RESPONSE TO DEMURRER.				gs
Mar 5	MOTION FOR RESULTS OF PSYCHIATRIC AND PSYCHOLOGICAL EXAMINATION. (Dft)				gs
	OPPOSITION TO PLAINTIFFS RESPONSE TO DEMURRER.				gs
	BREIF ON FEDERAL JURISDICTION. (Dft)				gs

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DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
<u>1991</u>	(Document No.)				
Mar 18	MOTION TO DISMISS FOR NON-COMPLIANCE WITH SPEEDY TRIAL ACT. (Dft)				
Mar 28	EX PARTE MOIT(N FOR ISSUANCE OF SUBPOENA DEUCES TECUM IN ADVANCE OF TRIAL OR HEARING ON DEMURRER OR HEARING ON MOTION TO DISMISS UNDER 18:USC 3164 (Dft)				gs
	MOTION FOR PRODUCTION OF MEMORANDA RELATING TO INTERVIEWS WITH WITNESSES, MOITO TO REQUIRE PLAINTIFFS AGENTS TO PRESERVE THEIR ROUGH NOTES AND MEMORANDUM BRIEF IN SUPPORT THEREOF. (Dft)				gs
	MOTION FOR EXCULPATORY EVIDENCE. (Dft)				gs
Mar 28	ORDER the Court directed that Deft. Fox be taken before the US Mag. for appointment of counsel...arraignment is postpoend until 9 AM, 4/4/91. HBS/dh copies to deft. AUSA, pt, prob., Marshal & Marie G. MIN ENTRY...deft. to be taken to the Magistrate for the appointment oc counsel...arraignment cont. to 4/4/91 9 AM. HBS/dh ORDER APPOINTING FEDERAL PUBLIC DEFENDER...IT IS ORDERED that the Federal Public Defender for the ND/TX is appointed as counsel of record for deft. JBT/bw cys: judge, ausa, pt, pb, pd, marie (dkt'd 3/29/91)				
Apr 3	OBJECTIONS TO APPOINTMENT OF ATTORNEY. (Dft)				gs
Apr 4	MIN ENTRY...Deft. present and the case will proceed without counsel...the Court entered a plea of NOT GUILTY for the Deft...Defts. voiced objections to the entry of the plea...copy of the Psychological report to be furnished to the deft.,...Deft. to remain in custody pending trial on 6/3/91. HBS/dh ORDER that defts. Objection to Appointment of Attorney, filed 4/3/91 is SUSTAINED ...Deft. will proceed to trial w/out the services of any attorney...the Clerk of the Court will promptly maile to deft. a copy of the Final Forensic Report. HBS/dh copies to parties copy of report mailed to deft.				
Apr 4	ORDER Jury set for 9 AM, 6/3/91...pretrial mots. due 4/22/91 Responses by 4/29/91...requested voir dire questinns,prop. jury inst., witness lists, exhibit lsits with copies of exhibits, & motions in limine due 5/28/91 HBS/dh copies to parties, pretrial, prob., Marshal & margie g.				

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CRIMINAL DOCKET

U. S. vs

Robert James Fox

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V. EXCLUDABLE DELAY

(a) | (b) | (c) | (d)

DATE
1991

PROCEEDINGS (continued)

(Document No.)

DATE	PROCEEDINGS (continued)	EXCLUDABLE DELAY
1991	(Document No.)	(a) (b) (c) (d)
April 8	ORDER that Defts. Demurrer and Amended Demurrer, which by their terms are motions to dismiss the indictment are DENIED. HBS/dh copies to parties. dkt'd 4/8/91	
Apr 8	MOTION FOR DISCOVERY AND INSPECTION AND MEMORANDUM BRIEF IN SUPPORT THEREOF. (Dft)	gs
Apr 18	GOVERNMENT'S CONSOLIDATED RESPONSES TO PRETRIAL MOTIONS OF DEFENDANT ROBERT JAMES FOX.	gs
Apr 22	NOTICE OF ERROR AND DEMAND FOR WRIT OF CORAM NOBIS. (Dft)	gs
	MOTION TO FILE ADDITIONAL MOTIONS (Dft)	gs
	OBJECTION TO COURT'S ENTRY OF PLEA (Dft)	gs
	MOTION TO QUASH INDICTMENTS AND MEMORANDUM BRIEF IN SUPPORT (Dft)	gs
Apr 25	ORDER... re: Defendant's motions - Motion for issuance of subpoena duces tecum, mtn for dft's statements, mtn for dft's prior criminal record, and mtn for production of examination reports are GRANTED as unopposed; mtn for documents and tangible evidence is GRANTED to the extent required by FRCP #16; mtn for advance disclosure of Rule 404(b) evidence is DENIED; mtn for Govt's investigation notes is DENIED; mtn for Govt communications is GRANTED to extend required by Brady v. Maryland and its progeny, FRCP #16; Dft's request for witness statements is GRANTED; Dft's mtn for statements of persons not called as witnesses is DENIED; mtn for production of electronic surveillance is DENIED; mtn for a list of Govt witnesses is GRANTED; Objection to Court's entry of Not Guilty plea is OVERRULED; Dft's mtn for a pretrial conference is DENIED; Demand for Writ of Coram Nobis is DENIED; Mtn to quash indictments is DENIED; Mtn to file additional motions is GRANTED to the extent that Dft shall file pretrial motions not later than Noon 5-6-91 and Govt shall respond to such mtns within 7 days of their filing. Dist 4/26 - dkt 5/3/91.	HBS/g
Apr 26	Received per fax page 2 of Defendants Final Forensic Report and forwarded to dft on same date.	gs
May 2	OBJECTIONS TO JURY TRIAL. (Dft)	gs
	OBJECTIONS TO COURT'S VOIRE DIRE OF JURY. (Dft)	gs
May 3	ORDER ... that defts. Objection to Courts voir dire of Jury is OVERRULED. dkt'd 5/6/91 copies to parties.	HBS/dh

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY		
		(a)	(b)	(c)
<u>1991</u>				
May 6	MOTION TO DISMISS AND BRIEF. (Dft) gs			
	MOTION TO DISMISS AND BRIEF. (Dft) gs			
May 10	NOTICE AND DECLARATION. (Dft) gs			
	MOTION FOR TEMPORARY TRANSFER OF CUSTODY. gs			
May 13	ORDER that the US Marshal shall transfer custody of deft. to the Department of State &/or the IRS so that the deft. may have an opportunity to review the evidence which the government intends to introduce int he upcoming trial & at the conclusion of said discovery process on the same day, the agents return said deft. to the custody of the US Marshal. HBS/dh copies to counsel, & Marshal.			
May 13	OBJECTION TO TRANSFER OF CUSTODY. (Dft) gs			
May 13	RETURN ON SUBPOENA to Robert Summers of the FBI served on May 13, 1991 by Jeffree Slye-Nelson. gs			
May 15	MOTION TO QUASH SUBPOENA AND BRIEF. (Govt) gs			
	NOTICE OF GOX'S REFUSAL TO VIEW DOCUMENTS (Govt) gs			
May 15	ORDER QUASHING SUBPOENA ... subpoena issued on 5/10/91 to Special Agent R. Summers of the IRS is hereby Quashed. copies to parties. HBS/dh			
May 16	ORDER that on 5/21/91 the US marshal shall transfer custody of Deft. to agents of the Department of State and/or the IrS so that Deft. may have an opportunity to review the evidence which the govt. intends to introduce in the upcoming trial, and at the conclusion of said discovery process on the same day, the agents of the Department of State &/or the IrS shall return Deft. to the custody of the US Marshal. HBS/dh copies to parties.			
May 16	MOTION FOR TEMPORARY TRANSFER OF CUSTODY. (Govt.) gs			
May 21	STATUS STATEMENT.. (Govt.) gs			
May 28	NOTICE OF NON-WAIVER. (Dft) gs			
May 28	REQUESTED JURY INSTRUCTIONS. (Dft) gs			
	REQUESTED VOIR DIRE QUESTIONS. (Dft) gs			
	WITNESS AND EXHIBIT LIST. gs			
May 29	GOVERNMENT'S WITNESS LIST. gs			
	GOVERNMENT'S EXHIBIT LIST. gs			
	GOVERNMENT'S REQUESTED QUESTIONS FOR VOIR DIRE. gs			

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		(a)	(b)	(c)	(d)
<u>1991</u>	(Document No.)				
May 29 ** Jun 3	GOVERNMENT'S JURY INSTRUCTIONS. gs MEMORANDUM OPINION AND ORDER ... Count 1 of the Indictment, charging a violation of Title 18, USC Section 1546(a) is DISMISSED. dkt'd 6/3/91 HBS/dh copies to parties,pt, prob., Marshal & marie g. ORDER that count 1 was DISMISSED with prejudice ... the Court reserved decision on defts. 5/6/91 Motion to dismiss count 2...after both sides had closed, the Court ruled, for reasons dictated into the record from the bench, that deft. was not guilty of the offense charged in Count 2 and deft. was therefore ACQUITTED of the offense charged in Count 2 of the Indictment...a judgment of acquittal will be entered. dkt'd 6/3/91 HBS/dh copies to parties, pt, prob., Marshal & Marie G. TRIAL MEMORANDUM - PASSPORT AS AN ENTRY DOCUMENT AND AS EVIDENCE OF AUTHORIZED STAY (Govt.) dh MOTION TO SUPPRESS (Deft.) dh ASSEVERATION IN SUPPORT OF SUBPOENA (Deft.) dh MOTION FOR JUDGMENT OF ACQUITTAL (Deft.) dh TRIAL TO COURT. MIN ENTRY...ORDERED that the Report filed 3/4/91 from Springfield is accepted...it is ordered that Count 1 of the Indictment is Dismissed...Witnesses sworn...exhibits admitted...ORDERED Judgment of Acquittal. HBS/dh JUN 4 JUDGMENT OF ACQUITTAL HBS/dh copies to counsel, parties, pt, prob., Marshal,Marie G. ** May 30 NOTICE OF NON-WAIVER (Dft) gs WAIVER OF JURY TRIAL. (Dft) gs NOTICE OF INTENT TO INTRODUCE CERTIFICATION. (Govt.) gs Jun 3 RETURN OF ORDER that deft was returned to the USM Custody on 5-21-91. By E.S. Ketz. gs Nov 5 TRANSCRIPT OF PROCEEDINGS OF ARRAIGNMENT BEFORE THE HONORABLE BAREFOOT SANDERS on March 28, 1991, as submitted by C. Black CR. gs				
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TRANSCRIPT OF PROCEEDINGS of ARRAIGNMENT BEFORE THE
HONORABLE BAREFOOT SANDERS on April 4, 1991 as submitted
by C. Black, CR. gs

TRANSCRIPT OF PROCEEDINGS OF TRIAL ON ITS MERITS
BEFORE THE HONORABLE BAREFOOT SANDERS on June 3, 1991
as submitted by C. Black, CR. gs

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